

REMARKS

In the Final Office Action,¹ the Examiner rejected claims 1, 6, and 7 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,075,905 to Herman et al. ("*Herman*"); rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over *Herman* in view of U.S. Published Application No. 2003/0161510 to Fujii; objected to claims 3 and 4 as being dependent on a rejected base claim; and allowed claim 8.

Applicants gratefully acknowledge the Examiner's indication of the allowable subject matter recited in claims 3, 4, and 8. Applicants propose to amend claims 3 and 4 and cancel claims 1 and 5-7. Upon entry of the amendment, claims 3, 4, and 8 would be pending.

Applicants respectfully traverse the rejections under 35 U.S.C. §§ 102, 103. However, for the sake of expediting prosecution of the application, Applicants have amended claims 3 and 4, to include subject matter from independent claim 1.

Because the Examiner indicated that claims 3 and 4 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims," (Final Office Action at page 5), Applicants submit that claims 3 and 4 are allowable.

In view of the foregoing remarks, Applicants respectfully request entry of this Amendment After Final and the timely allowance of the pending claims.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 18, 2008

By: C. Brandon Rash
C. Brandon Rash
Reg. No. 59,121
(202) 408-4000